

Signed: November 25, 2013

SO ORDERED

PAUL MANNES
U. S. BANKRUPTCY JUDGE

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
at Greenbelt**

In Re:

*

VINCENT HERMAN DAVIS

*

Case No. 13-15905PM

*

Chapter 7

*

Debtor(s)

*

ORDER DENYING MOTION TO REOPEN CASE

Upon consideration of the "Emergency Petitioner's Ex Parte Verified Motion to Reopen Case to Determine Validity, Priority and Extent of Lien," the court will not order the reopening of this case because the court has no jurisdiction to grant the relief sought by the Debtor, and therefore will not schedule a hearing. The Chapter 7 Trustee filed a Report of No Distribution on June 12, 2013. An Order discharging Debtor was entered August 6, 2013, and a Final Decree was entered August 6, 2013. Under 11 U.S.C. § 554(c), the subject property was abandoned to the Debtor. However, the lien in issue rides through the bankruptcy case, *Long v. Bullard*, 117 U.S. 617, 620-21 (1886); *In re Hamlett*, 322 F.3d 342, 347-49 (CA4 2003). By virtue of the discharge, Debtor has no personal liability to PNC Bank, and it may only proceed *in rem* to enforce its claim solely from the security. It is, therefore, by the United States Bankruptcy Court for the District of Maryland,

ORDERED That the "Emergency Petitioner's Ex Parte Verified Motion to Reopen Case to Determine Validity, Priority and Extent of Lien" is DENIED; and it is further

ORDERED That nothing herein shall be construed as a finding on the assertions raised by the Debtor or that the State court lacks jurisdiction to rule thereon.

cc:

Vincent Herman Davis, P.O. Box 3306, Capitol Heights, MD 20791

Steven H. Greenfeld, Trustee, 2600 Tower Oaks Blvd., Suite 103, Rockville, MD 20852

PNC Bank, National Association, Covahey, Boozer, Devan & Dore, P.A.,

11350 McCormick Road, Executive Plaza III, Suite 200, Hunt Valley, MD 21031

Brian S. McNair, Esq., 11350 McCormick Road, Suite 200, Hunt Valley, MD 21031

End of Order